

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

PATRICIA A. WINKFIELD	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 07 CV 6371
	)	
A & R JANITORIAL SERVICE, INC.	)	Judge Bucklo
	)	
Defendant.	)	JURY DEMAND

**ANSWER TO COMPLAINT**

NOW COMES Defendant, A & R Janitorial Service, Inc. ("A & R"), by and through its attorneys, Peter Andjelkovich & Associates and for its answer to Plaintiff's Complaint, states as follows:

1. A & R denies the allegations contained in paragraph 1 of Plaintiff's Complaint.
2. A & R admits the allegations contained in paragraph 2 of Plaintiff's Complaint.
3. A & R admits the allegations contained in paragraph 3 of Plaintiff's Complaint.
4. A & R admits that Plaintiff was employed to work at a school at 555 East 51<sup>st</sup>

Street in Chicago, Illinois. A & R denies the remaining allegations contained in paragraph 4 of Plaintiff's Complaint.

5. A & R admits the allegations contained in paragraph 5 of Plaintiff's Complaint.
6. A & R denies the allegations contained in paragraph 6 of Plaintiff's Complaint.

7.1(a) A & R admits it is not a federal government agency and that sometime in or near July 2006, Plaintiff filed a Charge of Discrimination with the Illinois Department of Human Rights ("IDHR") which was subsequently sent to the Equal Employment Opportunity Commission ("EEOC"). A & R denies the remaining allegations contained in paragraph 7.1(a) of

Plaintiff's Complaint.

7.1(b) A & R admits that a copy of the Charge of Discrimination Plaintiff filed with the IDHR appears attached to the Complaint. A & R denies the remaining allegations contained in paragraph 7.1(b) of Plaintiff's Complaint.

8. No allegation is contained in paragraph 8, therefore A & R denies the content of paragraph 8 of Plaintiff's Complaint.

9. A & R denies the allegations contained in paragraph 9 of Plaintiff's Complaint.

10. A & R denies the allegations contained in paragraph 10 of Plaintiff's Complaint.

11. A & R admits this court has subject matter jurisdiction over the claims but denies that Plaintiff has been subject to discrimination in violation of federal law and therefore denies the remaining allegations contained in paragraph 11 of Plaintiff's Complaint.

12. A & R denies the allegations contained in paragraph 12 of Plaintiff's Complaint.

13. A & R denies the allegations contained in paragraph 13 of Plaintiff's Complaint.

14. A & R denies the allegations contained in paragraph 14 of Plaintiff's Complaint.

15. No allegation is made by Plaintiff in paragraph 15 of Plaintiff's Complaint and therefore, no response is necessary.

16. A & R denies the allegations contained in paragraph 16 of Plaintiff's Complaint.

#### **AFFIRMATIVE DEFENSES**

1. Plaintiff's Complaint is barred to the extent that any of the event comprising of her claims precede 300 days from the date of filing her charge with the Equal Employment Opportunity Commission ("EEOC").

2. Plaintiff's Complaint is barred to the extent that she failed to mitigate her

damages.

3. Plaintiff has failed to state a cause of action upon which relief can be granted.

4. Plaintiff's Complaint is barred by the doctrine of collateral estoppel and/or res judicata in that the charges she filed with the EEOC and IDHR were dismissed for a lack of substantial evidence and affirmed on her appeal before the IDHR. These findings were adopted by the EEOC.

Respectfully submitted,  
**A & R Janitorial Service, Inc.**

By: /s/Peter Andjelkovich  
One of its attorneys

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